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Paper No. 7

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In re Application of	:	
Christoph Hehrlein	:	
Application No. 10/038,468	:	DECISION ON PETITION
Filed: January 3, 2002	:	UNDER 37 CFR 1.137(b)
Attorney Docket No. 2869	:	

This is a decision on the petition filed February 19, 2003, under the unintentional provisions of 37 CFR 1.137(b), to revive the instant nonprovisional application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is **not** final agency action within the meaning of 5 U.S.C. § 704. No additional petition fee is required.

Petitioner has submitted a Request to Rescind Previous Nonpublication Request with the instant petition. However, petitioner has not stated that the instant nonprovisional application is the subject of an application filed in a foreign and that the U. S. Patent and Trademark Office was unintentionally not notified of this filing within 45 days subsequent to the filing of the subject application in a foreign country. Additionally, if an application was filed in a foreign country, petitioner must provide the exact filing date of the foreign application before a determination on the merits of the petition can be decided.

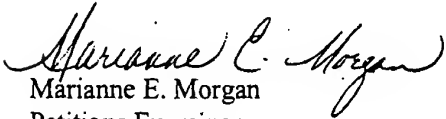
Further correspondence with respect to this matter should be addressed as follows:

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**By hand:** Crystal Plaza Four, Suite 3C23  
2201 South Clark Place  
Arlington, VA 22202

**By Fax:** (703) 308-6916  
ATTN: Office of Petitions

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 306-3475.

A handwritten signature in cursive script, reading "Marianne E. Morgan".

Marianne E. Morgan  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy